DETAILED ACTION

Response to Amendment

On 18 march 2009, applicant amended claims 52, 58, 71, 75, 77 and 86.

Applicant added claims 126-147.

Status of claims:

Claims 1-51, 93-112 and 119-125 were withdrawn from prosecution as being directed to a non-elected invention.

Claims 59-70, 72-74, 78-85, 87-88, 113-118 have been cancelled by applicant during prosecution.

Claims 52-58, 71, 75-77, 86, 89-92, and 126-147 are pending.

Examiner Amendment

The following amendment was approved by Mr. Kaufman on 06/17/2009.

Claims 1-51, 93-112 and 119-125, previously withdrawn from prosecution, are cancelled.

Claims 52, 75 and 126 are amended as follows:

52. (Currently Amended) A computer implemented method for adjusting a base price of a particular used vehicle, the used vehicle having a present status at a specific time, the base price being adjusted based on specific prior events occurring to the used vehicle before the specific time, said method comprising the steps of:

Obtaining, by a vehicle history information computer system, a vehicle history dataset relating to a particular used vehicle, the vehicle history dataset having vehicle history attributes regarding a the particular used vehicle, said vehicle history attributes indicating prior events that have occurred to the particular used vehicle;

Applying, by the vehicle history information computer system, a pricing model

module to the vehicle history data set, said pricing model module being based on

obtaining at least one transaction record relating to terms of sale of used vehicles said

transaction records including a transaction price of a used vehicle that is the subject of

the transaction record and vehicle history attributes indicating prior events that have

occurred to the used vehicle that is the subject of the transaction record; and

Calculating, by the vehicle history information computer system, a single

quantifiable price adjustment value for said particular used vehicle based on a plurality

of said vehicle history attributes and said transaction records in the pricing model for

vehicles similar to the particular used vehicle.

75. (Currently amended) A computer system for adjusting a base price of a particular

used vehicle, the used vehicle having a present status at a specific time, the base price

being adjusted based on specific prior events occurring to the used vehicle before the

specific time, said system comprising:

a memory device to store instructions;

at least one processor coupled with the memory device to execute

instructions to implement a receiving module for receiving vehicle history dataset

relating to a particular used vehicle, the vehicle history dataset having vehicle history

attributes regarding the particular used vehicle, said vehicle history attributes indicating

prior events that have occurred to the particular used vehicle;

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a price adjustment module including a pricing model, said pricing model being

based on at least one transaction record relating to sale terms of used vehicles, said

transaction records including a transaction price of a used vehicle that is the subject of

the transaction record and vehicle history attributes indicating prior events that have

occurred to the used vehicle that is the subject of the transaction record, said price

adjustment module being configured to calculate a single quantifiable price adjustment

value for said particular vehicle based on said vehicle history attributes and said pricing

model.

126. (New) A computer implemented method for creating a pricing model to be used for

adjusting a base price of a particular used vehicle, the used vehicle having a present

status at a specific time, the base price being adjusted based on specific prior events

occurring to the used vehicle before the specific time, said method comprising the steps

of:

obtaining, by a vehicle history information computer system, transaction price

data relating to sale transactions of used vehicles;

obtaining, by the vehicle history information computer system, vehicle history

attributes indicating prior events that have occurred to the used vehicles;

creating by the vehicle history information computer system, transaction records,

each transaction record including a transaction price of a used vehicle that is the subject

of the transaction record and vehicle history attributes indicating prior events that

occurred to the used vehicle that is the subject of the transaction record; and

storing <u>by the vehicle history information computer system,</u> the transaction

records in a database in accordance with a unique identifier of the vehicle that is the

subject of the transaction record.

Examiner's Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

As applicant explains, pages 34-35:

> The invention relates to a model for determining price a price adjustment to a
> base price of a used vehicle. Pricing models for used vehicles are known generally.
> Conventional pricing models are based on the current condition of the used vehicle. In
> other words, the price is determined based on currently observable conditions, such as
> mileage, body condition, and the like. For example, a specific car model from 2003 in
> good body condition will have a value based upon mileage, a current condition. All cars of
> the same model, year, body condition and mileage will have the same value when using
> conventional pricing models.
> However, various events that occurred to a vehicle in the past can greatly
> influence the value of a vehicle to buyers. These events are not always apparent based
> on the current condition of the vehicle …two vehicles having identical current status
> would be priced identically when using conventional pricing models. However, when
> considering the historical events of the vehicle, as in the claimed invention, the
> determined value of the vehicle is significantly different …[a first] vehicle has a consistent
> mileage pattern and [a second] vehicle on the right has an inconsistent mileage pattern
> (historical events). Because of the distinctions in mileage patterns, the [first] car…is
> valued significantly higher when applying the claimed invention…

Updated searches were performed based on the amended claim language.

The closest US patent is Andersen et al., US 5,774,883, which discloses the use

of wholesale book value of a used vehicle. However Andersen neither anticipates nor

renders obvious the combination, *inter alia,*

> Applying, by the vehicle history information computer system, a pricing model
> module to the vehicle history data set, said pricing model module being based on
> obtaining at least one transaction record relating to terms of sale of used vehicles said
> transaction records including a transaction price of a used vehicle that is the subject of
> the transaction record and vehicle history attributes indicating prior events that have
> occurred to the used vehicle that is the subject of the transaction record; and
> calculating, by the vehicle history information computer system, a single
> quantifiable price adjustment value for said particular used vehicle based on a plurality of

said vehicle history attributes and said transaction records in the pricing model for
vehicles similar to the particular used vehicle.

The closest non-patent literature is previously cited Brown, Just How used is that

used car, The Washington Post, 16 August, 1997, which discloses the use of odometer-

reading checks. Brown, paragraph 12, also discloses that _carmax_ (assignee of the

instant application) provides a car's vital history, including discrepancies in mileage

statements. Brown, paragraph 16, discloses that there is a value to presenting a car for

sale with low mileage. The buyer "…always use(s) _[carmax]_ information concerning

odometer discrepancies…" to buy the [specific] used car. The amount of money paid by

the buyer is quantifiable; it is a single quantifiable price.

However, Brown neither anticipates nor renders obvious the combination, _inter_

alia,

> Applying, by the vehicle history information computer system, a pricing model
> module to the vehicle history data set, said pricing model module being based on
> obtaining at least one transaction record relating to terms of sale of used vehicles said
> transaction records including a transaction price of a used vehicle that is the subject of
> the transaction record and vehicle history attributes indicating prior events that have
> occurred to the used vehicle that is the subject of the transaction record; and
> calculating, by the vehicle history information computer system, a single
> quantifiable price adjustment value for said particular used vehicle based on a plurality of
> said vehicle history attributes and said transaction records in the pricing model for
> vehicles similar to the particular used vehicle.

The Examiner makes of record 15 pages of materials presented during an in-

person interview of 03/09/2009. Permission was given by Mr. Kaufman on 06/16/09.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES ZURITA whose telephone number is (571)272-6766. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571)272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James Zurita/
Primary Examiner
Art Unit 3625
16 June 2009